



SIDLEY AUSTIN LLP
787 SEVENTH AVENUE
NEW YORK, NY 10019
+1 212 839 5300
+1 212 839 5599 FAX

bnagin@sidley.com
+1 212 839 5911

BEIJING	HONG KONG	SAN FRANCISCO
BOSTON	HOUSTON	SHANGHAI
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FOUNDED 1866

February 24, 2017

VIA ECF

The Honorable Steven M. Gold
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Camden Plaza
Brooklyn, NY 11201

Re: *Joseph Washington et al. v. Caliber et al., No. 16-CV-03948 (E.D.N.Y.)*

Dear Magistrate Judge Gold:

This firm represents Defendants Caliber Home Loans, Inc. (“Caliber”) and U.S. Bank Trust National Association, not in its individual capacity but solely as trustee (the “Trustee,” and, with Caliber, the “Caliber Defendants”) for LSF9 Master Participation Trust (“Trust”). We write in brief response to Plaintiffs’ February 21, 2017 letter (the “February 21 Letter”).

During the December 20, 2016 conference, the Court granted in part an application to stay discovery pending the resolution of motions to dismiss by the defendants, including the Caliber Defendants (“12/20 Order”). In this regard, the Court permitted Plaintiffs to serve limited document requests for readily retrievable documents. Nearly a month after the conference, Plaintiffs served extremely broad document requests seeking “All documents” regarding a variety of topics, several of which were unconnected to the named plaintiffs in this putative class action, including, for example, “All documents concerning all Loss Mitigation options you have offered borrowers from January 1, 2014 to present” (“Requests”). In response to the Requests, the Caliber Defendants timely responded and objected on February 17, 2017, agreed to produce a focused set of documents in accordance with the 12/20 Order, and proposed a meet and confer regarding the remainder of the Requests. After rejecting two proposed times for an initial discussion regarding the Requests on February 21, 2017, Plaintiffs filed the February 21 Letter raising an “anticipate[d]” purported dispute that they had not yet even discussed with the Caliber Defendants.



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In short, discussion of the Plaintiffs' anticipated discovery disputes at the hearing would be premature. We look forward to engaging in a meaningful meet and confer process with the Plaintiffs.

Respectfully submitted,

/s Benjamin R. Nagin

Benjamin R. Nagin

cc: All Counsel of Record (via ECF)